

TRILOGY®

Subscriber Notification Report WC Docket No. 05-196

September 26, 2005

Federal Communications Commission Sun Microsystems, Inc.
445 12th St., S.W.
Washington, D.C. 20554

Dear FCC:

The FCC has indicated the following should be answered pursuant to the Subscriber Notification and Acknowledgement Status and Compliance Reports Section of Public Notice DA 05-2085 Released July 26, 2005:

1. A detailed description of all actions the provider has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service and/or may be in some way limited by comparison to traditional E911 service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e., email, U.S. mail).

- Trilogy currently has one customer for VoIP: Cardinal Healthcare. Cardinal currently has two Trilogy Voice Appliances (TVAs) deployed in the field at Aurora, Illinois and Lakeland, Florida.
- In early March 2005, Trilogy emailed a Letter of Agreement (LOA) to Scot Lindsey of Cardinal (who is overseeing the VoIP project from Cardinal) indicating:

THE SERVICE DOES NOT INCLUDE 911 SERVICE, ENHANCED 911 SERVICE OR ANY COMPARABLE EMERGENCY CONNECTION SERVICES.

- On March 3, 2005, Scot Lindsey signed the above agreement, and emailed it back to Trilogy, indicating Cardinal's understanding that the TVA does not provide 911 services. This agreement is on-file with Trilogy.
- On March 21, 2005, the first TVA was deployed at Cardinal's Aurora, Illinois facility. During installation, Jim Singh of Trilogy tested that the Cardinal Aurora PBX routed 911 calls over PSTN T1 lines, and not via the TVA. Bob Jagodzinski of Cardinal Health oversaw this rollout. On August 16, 2005, Dusty O'Brien placed a phone call to Bob Jagodzinski and confirmed with him that the TVA should not handle 911 calls, and that the PBX should route 911 calls to local T1 spans. On August 22, 2005, Bob Jagodzinski tested that 911 was correctly functioning for this facility, and was being routed around the TVA by the Cardinal PBX.
- On June 6, 2005, the second TVA was deployed at Cardinal's Lakeland, Florida facility. During installation, Dusty O'Brien of Trilogy tested that Lakeland's 911 service was correctly functioning -by the Cardinal Lakeland PBX appropriately routing 911 calls over

PSTN T1 lines, and not via the TVA. Also, Mr. O'Brien notified Jason Ball, the Cardinal Lakeland facility administrator that the TVA should never handle 911 calls and that it is the responsibility of the Cardinal PBX to route 911 calls over PSTN T1 lines.

2. A quantification of how many of the provider's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom they do not expect to receive an acknowledgement by August 29, 2005.
 - 100% of Trilogy's subscribers have signed an agreement indicating that they understand the TVA does not provide E911 service.
 - 0% of Trilogy's subscribers did not acknowledge this by August 29, 2005.
3. A detailed description of whether and how the provider has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in the connection with the interconnected VoIP service.
 - On August 16, 2005, Dusty O'Brien emailed the facility administrators for all deployed facilities the TVA E911 warning labels, requesting confirmation once they had been attached to the TVA. The labels have the text:

WARNING:
This device is not certified to handle 911 calls. Your PBX **must** be configured to route all 911 calls around this device.
 - As of August 22, 2005, Trilogy has received email replies from all facility administrators at Cardinal indicating they had attached the warning labels to the TVAs.
4. A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in the first bullet above and/or to whom the provider did not send warning stickers or other appropriate label as identified in the bullet immediately above.
 - 0% of Trilogy's subscribers have NOT received both the advisory and warning stickers as of August 16, 2005.
5. A detailed description of any and all actions the provider plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber's VoIP service with the Company no later than August 30, 2005:
 - All of Trilogy's subscribers have affirmatively acknowledged that the TVA does not handle 911 calls as of March 3, 2005. As such, no additional action is required.
 - In case such action was required, the Customer's VoIP service would be disabled.

6. A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers:
 - The acknowledgements received from its subscribers will be maintained in Legal files by Trilogy's in-house legal department.
7. The name, title, address, phone number, and email address of the person(s) responsible for the Company's compliance efforts with the VoIP E911 order.
 - Dusty O'Brien, Delivery Manager, 6011 W. Courtyard Dr., Austin, TX 78730, at the phone number 512-874-5162, dobrien@trilogy.com
 - Brian Spross, Associate General Council, 6011 W. Courtyard Dr., Austin, TX 78730, at the phone number 512-874-3591, brian.spross@trilogy.com

Sincerely,

//Brian Spross//

Brian Spross
Associate General Counsel